

PLAN COMMISSION MINUTES

June 5, 2008

Call to Order and Roll Call

The Plan Commission Meeting was called to Order by Chairperson Sharon Ryan on June 5, 2008, at 7:00 PM.

Members Present:

John Janek	Tim Elliott	Mark Wilson	Sharon Ryan
Mark Davis	Jack Taylor	Frank Greathouse	

Absent:

Sandra Crites (excused)	Shirley Howard (excused)
Ben Ward (excused)	Don Luddeke (excused)

Also Present:

Assistant City Attorney Laura Andrews, Economic Development John Ferry and Ward 6 Alderman Brad Eavenson.

The Chairman noted there were no Petitions to be Heard, therefore, no swearing in.

1. **Pledge of Allegiance**
The Chair explained the Plan Commission is a recommending body for the City Council and it is the Council that has final say on all Petitions.
2. **Approval of Minutes, and Agenda: Motion by Janek, seconded by Mark Davis to approve the Agenda and the Minutes dated May 1, 2008.**
3. **No council report.**
4. **Project Reviews**
The P & Z Administrator announced the Gateway Project (Lowe's) has been approved. The actual groundbreaking has not taken place because the project is still in the archeological stage.

Modular/Manufactured Home

The photos of a manufactured/modular home, approved by the G. C. Board of Appeals on April 2, 2008, were distributed by Zoning Administrator Steve Willaredt. He stated the structure is nothing more than a double-wide trailer. The modular home (see photos: Attachment A) was delivered to 2501 Lincoln Avenue for positioning on a concrete pad. He further stated the Board had no other choice but to grant the Petitioner's request because of the way the Ordinance is presently written. Discussion followed.

Reference was made to documentation from Sharon Ryan to Attorney Laura Andrews (Attachment B) concerning the Definition of Modular Home for consideration for language revision of the Ordinance. The Commission agreed to the definitions with the following changes:

Modular Home – Definition

A modular home is a residence that has the same characteristics as a site built home. Built in two or more sections in a factory then transported and assembled at the building site. Built to state, local or regional code where the home will be located. Can be custom built. Does not have a steel undercarriage supporting

Panelized Homes – to include in Definition “as is”, no change.
Pre-Cut Homes – to include in Definition “as is”, no change.

Manufactured Homes

The last sentence should read: Have a steel undercarriage supporting the floor system and can have wheels or towing devices.

Motion by Mark Wilson, seconded by Janek to accept the proposed Definition of Modular Home and Manufactured Home (Attachment B) with the above mentioned changes. Roll Call Vote. Motion Passed Unanimous.

Mobile Home Ordinance

Attorney Laura Andrews introduced the draft of her proposed Ordinance regulating Mobile Homes (Attachment C). Mr. Willaredt stated the goal of the Council is to eliminate trailers in all residential zones.

Motion by Janek, seconded by Mark Davis to approve the draft of *An Ordinance Regulating Mobile Homes in the City of Granite City, Illinois* dated April 11, 2008. Roll Call Vote. Motion Passed Unanimous.

Ordinance Restricting Adult Entertainment Facilities

The next item on for discussion was an Ordinance restricting Adult Entertainment Facilities submitted by City Attorney Brian Konzen. The Commission agreed Item 4 should read as follows: This Ordinance shall take effect upon passage. (eliminating the words, “and may be published in pamphlet form by the City Clerk”.) They also agreed the Ordinance needs to be more definitive and should go back to committee.

A motion by Mark Wilson, seconded by Janek to send back to committee the *Ordinance Restricting Adult Entertainment Facilities*. Roll Call Vote. Motion Passed Unanimous.

Article 4 of Zoning Ordinance #3818

The proposed changes to Article 4 were reviewed and the following changes, additions and deletions were made:

Section 4-600 “R-6” Manufactured home residence district

Section 4-120 PERMITTED USES

Number 6. Delete completely.

Section 4-130 (Add) PROHIBITED USES

Section 4-230 (Add) PROHIBITED USES

Section 4-430 (Add) PROHIBITED USES

Page 9. Replace word “Manufactured” for word “Mobile”

Section 4- 620 Delete Number 2 completely.

Section 4-1120 Delete Number 9 completely.

Delete Number 18 completely.

Delete Number 19 completely.

Section 4-1120
continued

- Section 4-1420** Delete Number 20 completely.
- Section 4-1420** Delete Number 3 completely
- Number 7 period after the word repair. Delete words including upholstering repair and replacement.
- Delete Number 15 completely.
- Section 4-1440** SPECIAL USES (Add) - rental storage warehouse
- Section 4-1520** Delete Number 8 completely.
- Add to Number 10 the word Dry to create word "Drycleaning".
- Delete Number 13 completely.
- Delete Number 16 completely.
- Delete Number 17 completely.
- Delete Number 22 completely.
- Delete Number 23 completely.
- Delete Number 27 completely.
- Delete Number 29 completely.
- Delete Number 38 completely.
- Number 42 Delete word Television.
- Delete Number 47 completely.
- Section 4-1620** Delete Number 2 completely.
- Delete Number 4 completely.
- Delete Number 5 completely.
- Delete Number 6 completely.
- Delete Number 7 completely.
- Change Number 8 to Fuel Manufacturing
- Delete Number 9 completely.
- Delete Number 10 completely.
- Delete Number 13 completely.
- Add (sequence number) Recycling facility.
- Add (sequence number) Junk Yard, Auto Salvage
- Section 4-1820** Number 1 "M-2" (Check list and remove.)

Note: All omitted numbers in a Section will obviously change the sequencing of the remaining numbers.

Motion by Janek, seconded by Tim Elliot to approve changes to Article 4 of Zoning Ordinance #3818. Roll Call Vote. Motion Passed Unanimous.

Old Business

Steve Willaredt brought up the "Payday Loan's" issue and stated the proposed Ordinance intended to reduce the number of those types of establishments had never passed the Council. Therefore, Title Max, a Consumer Installment Loan Company, was granted a business license. They will occupy the Old Taco Bell location on Nameoki Road.

The Administrator was asked to look at a non-conforming sign on Route 3, near Hardee's, just past the Korean Church.

Comprehensive Plan

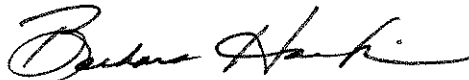
Jon Ferry reported he is putting together a master plan, working with developers from Florida as well as the group that developed the Collinsville Soccer Park.

The plan includes the area north of Northgate to the south of Interstate 270. It will begin with the establishment of a commercial frontage up to where the Welcome to Granite City sign currently exists. Located behind the commercial frontage will be apartments or a condo complex. The apartments will in the area where presently a storage facility exists on St. Thomas Road. The Plan Commission approved and agreed with this master plan.

Adjournment

Motion to adjourn by Mark Wilson, Motion carried, meeting adjourned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara Hawkins", written in a cursive style.

Barbara Hawkins
Secretary, Plan Commission

Copies: Mayor
City Council
City Clerk
Plan Commission

PLAN COMMISSION ADVISORY REPORT

Meeting: June 5, 2008

Page 5
Minutes

MODULAR HOME – DEFINITION

Request: Assistant City Attorney Laura Andrews requests proposal of a Form Based Code (FBC) for Manufactured / Modular Homes as Defined in Attachment B of the Minutes.

#1 Motion by Mark Wilson, seconded by Janek to accept the proposed language for the Definition of Modular Homes, Panelized Homes, Pre-Cut Homes and Manufactured Homes (Prior to 1976 known as Mobile Homes).

ROLL CALL: MOTION PASSED UNANIMOUS

Request: Assistant City Attorney Laura Andrews requests approval of An Ordinance Regulating Mobile Homes in the City of Granite City (Attachment C of Minutes).

#2 Motion by Janek, seconded by Mark Davis to approve An Ordinance Regulating Mobile Homes in the City of Granite City.

ROLL CALL: MOTION PASSED UNANIMOUS

Request: Assistant City Attorney Laura Andrews requests approval of An Ordinance Restricting Adult Entertainment Facilities.

#3 Motion by Mark Wilson, seconded by Janek for **Ordinance to go back to Committee**, requesting that it be more definitive.

ROLL CALL: MOTION PASSED UNANIMOUS

Request: Assistant City Attorney Laura Andrews requests approval for changes to Article 4 of Zoning Code 3818.

#4 Motion by Janek, seconded by Tim Elliot to approve changes to Article 4 of the Zoning Ordinance 3818.

ROLL CALL: MOTION PASSED UNANIMOUS

EX. Excused Absence

UN. Unexcused absence

ROLL CALL

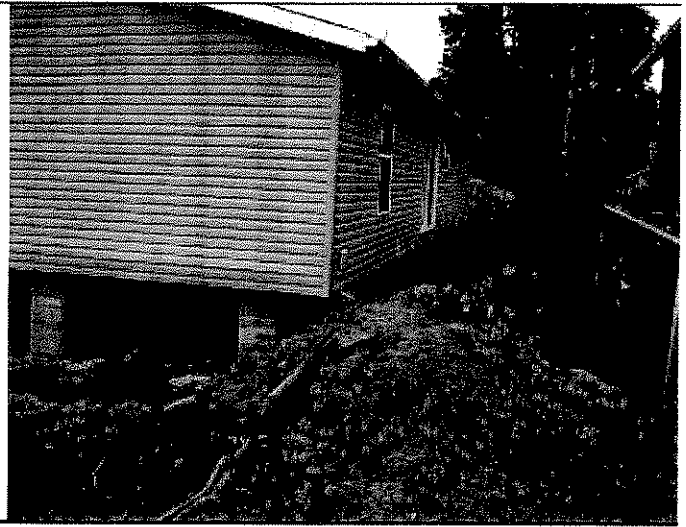
Sandra Crites	absent (ex)	Jack Taylor	yes
John Janek	yes	Ben Ward	absent (ex)
Sharon Ryan	yes	Shirley Howard	absent (ex)
Tim Elliot	yes	Mark Davis	yes
Mark Wilson	yes	Don Luddeke	absent (ex)
Frank Greathouse	yes		

June 5, 2008

Chair: Sharon Ryan

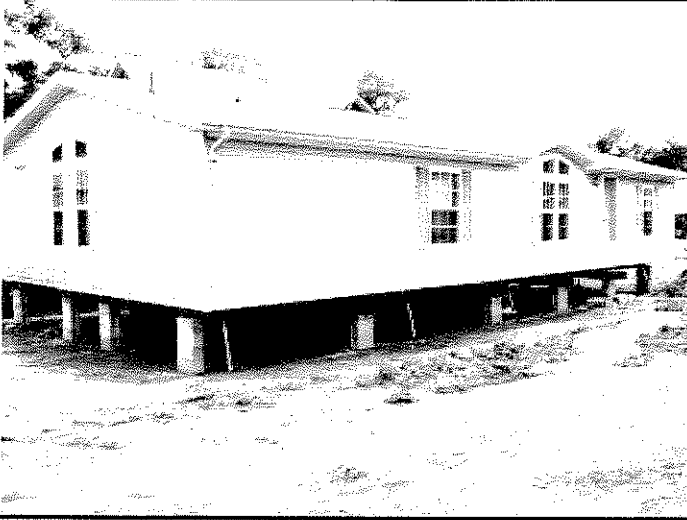


06/02/2008



06/02/2008

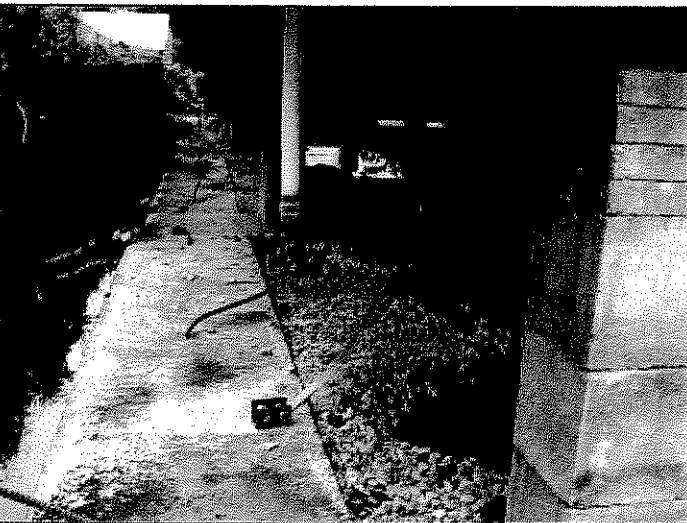
2501 Lincoln 6/2/08



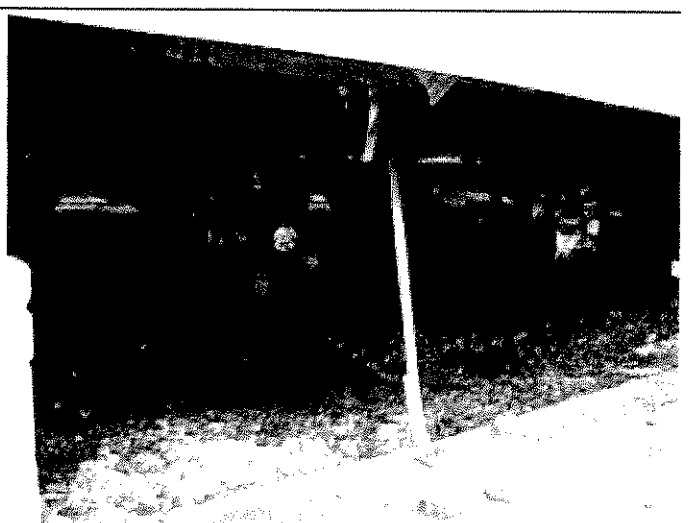
06/02/2008



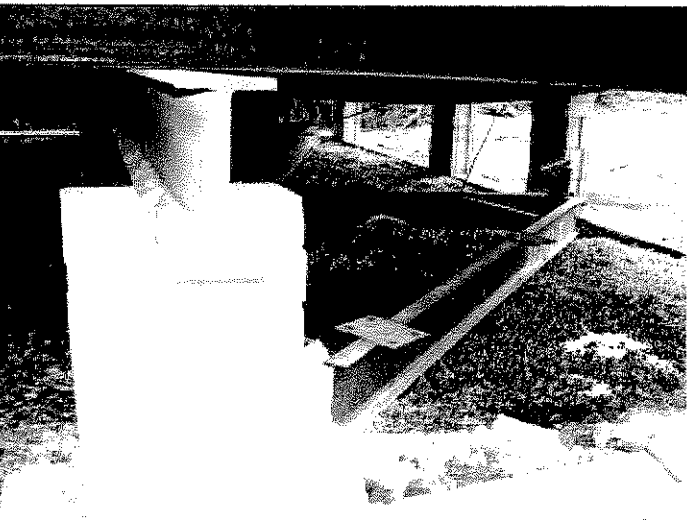
06/02/2008



06/02/2008



06/02/2008



06/02/2008



06/02/2008

Laura Andrews

From: Sharon Ryan [SRyan@allfela.com]
Sent: Friday, May 02, 2008 9:40 AM
To: Laura Andrews
Subject: Definitions
Attachments: DEFINITION Modular Home.wpd; DEFINITION Manufactured Homes.wpd

Laura:

I am attaching the definition of modular and manufactured (mobile) homes. In the event you cannot open them, I am also putting them below in this email. On each attachment, I have in the "Note" the word "mobile" and it should be "manufactured".

DEFINITION

Modular Home

Modular Homes have same characteristics as site-built homes. Built in two or more sections in a factory then transported and assembled at building site. Built to state, local or regional code where the home will be located. Can be custom built. Do not have steel undercarriage supporting floor system.

Panelized Homes:

Factory-built homes in which panels - a whole wall with windows, doors, wiring and outside siding - are transported to the site and assembled. Must meet state, local or regional codes where they are sited.

Pre-Cut Homes:

Factory-built homes in which building materials are factory-cut to design specifications, transported to the site and assembled.

Pre-cut homes include: kit, log and dome homes. Must meet state, local or regional code where they are sited.

DEFINITION

Manufactured Homes

(Prior to 1976 known as Mobile Homes)

Manufactured Homes are entirely factory built under federal building code administered by HUD. May be single- or multi-section and are transported to the

5/5/2008

site and installed. Can be placed on basement. Include multi-wide and expandable manufactured homes. Have a steel undercarriage supporting the floor system.

Note: Modular homes are built to state, local or regional codes

Manufactured homes are built to HUD requirements

Sharon Ryan

Caution: The Missouri Bar requires our law firm to notify you that email is not necessarily a secure method of communication. Email can be intercepted as it travels through the internet as well as through any network to which a computer may be connected. This includes the computer on which you are working now. Additionally, any email could be intercepted and disclosed by someone with no connection to your case or even by an adverse party. Although these risks are not, in our opinion, great, we are required to provide this notification to you. If you do not consent to the use of email communication, you MUST contact and notify us immediately at 314-241-8111.

5/5/2008

Why Form-Based Codes are Needed:

Currently, the City is trying to prevent the construction of mobile homes (i.e. trailers) in areas that are not a designated mobile home park. Under our current zoning code, that must be done using language to describe the structures that are being prohibited. As we have recently discovered, through personal experience, this type of code is not fool-proof, as the definitions of words can be legally contested. For example, within the past four months, the City has received a petition from a land owner wanting to move a mobile home into the City from a neighboring town and place it in the middle of a single-family home subdivision. The current zoning code defined a mobile home as a structure that had wheels and the capability for mobility. As a result, the petitioner changed the wording of his document to say that he was bringing in a modular home (which it was because it came in two pieces and was assembled on site), that would have the wheels removed and placed on a concrete slab for a base. By doing this, the petitioner was able to 'comply' with our current zoning code, even though it was not in the desires of the City to have a mobile home-like structure anywhere in the City outside of a designated mobile home park.

This situation, however, is not uncommon. Because of the nature of our current zoning code, it can only try to control what the City does not want. Therefore, if a petitioner is able to find a loophole, (of which there are many) then that person can legally build the very structure that the City does not want, even if that structure is detrimental to the property value of the properties surrounding it.

It is for this very reason that I propose the establishment of a new zoning code known as a Form-Based Code. A Form-Based Code (FBC), unlike its counterpart, uses diagrams and drawings in addition to language to indicate the desires of the City and the community for future development. In the scenario described above, a FBC would prescribe the type of housing that is permitted (as opposed to describing all of the things that are not permitted). For example, a diagram, combined with some language could prescribe that all houses within a particular neighborhood must be of a particular height and size. It could say that all houses within a certain neighborhood must have an attached front porch, etc. to match the houses nearby. In essence, the FBC captures the structural 'DNA' of the neighborhood and puts it into the form of a zoning code that will only allow future structures in that neighborhood to comply with the already existing 'DNA'. Yet, at the same time that these codes provide a means of uniformity within a neighborhood, they also, at the same time, are one of the best means for producing a diversity of architecture, materials, uses and ownership that can come only from the actions of many independent players operating within a communally agreed-upon vision and legal framework.

That Form-Based Codes are the product of the vision of the full community is the key to their success. While the code itself is a living document that can be changed as the vision for the community changes, it is still the vision and goals for the community that give Form-Based Codes their power. The fact that both FBCs and Comprehensive Plans are so communally-based that it becomes so vitally important to view both of these things together, so that they are both based on the same vision held by the community at large.

ORDINANCE NO. _____

AN ORDINANCE REGULATING MOBILE HOMES IN THE
CITY OF GRANITE CITY, ILLINOIS

WHEREAS, the City of Granite City is a home rule unit pursuant to article 7, section 6, of the Illinois State Constitution of 1970; and

WHEREAS, the City of Granite City has zoned only two areas as R-6, said R-6 zoning classification permitting mobile home parks, in Granite City; and

WHEREAS, mobile homes depreciate much faster than real estate improved with modular homes or other traditional improvements to real estate; and

WHEREAS, clustering and concentrating mobile home locations tends to increase the intensity of land use, lower property values, increase the danger to neighborhoods from fire and storms, and in contrary to the goal of promoting lower density housing that appreciates in value.

NOW, THEREFORE; it is hereby ordained and decreed as follows:

1. Article 2, Section 2 of the Granite City Zoning Code, also known as Ordinance 3818, as amended, is hereby amended to add the following definition:

Manufactured home

2. Article 2, Section 2 of the Granite City Zoning Code, also known as Ordinance 3818, as amended, is hereby amended to delete the current definitions for "Mobile home" and "Modular home"

add replace same with the following definitions:

Mobile home

Modular home

3. Article 7, Section 7-3(d) of the Granite City Zoning Code, is hereby **deleted** and repealed in its entirety, and replaced with the following section 7-3(d):

7-3(d) Mobile Homes

(1) Replacement of existing mobile home within a Mobile Home Residence District Any existing mobile home located in a mobile home park in the City of Granite City on June 1, 2008; may be replaced with another mobile home, provided such replacement takes place within 21 days of the initiation of removal of the existing mobile home. The replacement mobile home shall be new, unused, and not previously occupied. Any replacement mobile home shall comply with all applicable city ordinance provisions and shall comply with the minimum set back requirements within the district in which the mobile home is located. Failure to comply with this section shall result in the parcel reverting to the highest zoning classification then in effect for any of the surrounding adjacent land.

(2) Intensification of extension of use. Use of the land shall not be intensified or extended by repair, restructure, or replacement of the existing mobile home to occupy an area of land greater than the existing mobile home. That is, the replacement mobile home shall not be of a greater square footage, or occupy a greater percentage of the lot, than occupied by the existing mobile home.

(3) Outside a Mobile Home Residence District
Any mobile home not located in a Mobile Home Residence District is a nonconforming use. Beginning June 1, 2008; no mobile home in the City of Granite City which is located outside of a mobile home park may be replaced. Any discontinuance of use of the mobile home shall require its immediate removal. Discontinuance of use shall be defined by one or more of the following:

(a) Cessation of occupancy for 21 days or more.

(b) Disconnection of any utility service for 21 days or more.

(c) Commencement of removal, demolition, or condemnation proceedings pursuant to statute or ordinance.

(d) The removal of the existing mobile home.

4. Nothing in this Ordinance shall be deemed to waive the requirements of section 15.40, et. seq., of the Granite City Municipal Code.

5. Any provision of any ordinance contrary to this ordinance, is hereby repealed, including but not limited to the contrary portions of Ordinance number 7234, passed October 19, 1999; Ordinance 7616, passed July 2, 200; and Ordinance 4648, passed April 22, 1992.

6. The zoning classification of R-6, established mobile home parks within the corporate limits of the City of Granite City, is hereby deemed abolished. Mobile home parks in existence as of June 1, 2008; shall be deemed grand-fathered and shall not be permitted

to suffer any intensification of land use after June 1, 2008. The R-6 zoning classifications are hereby deemed to be zoned as R-5. The construction and use of modular homes as residence shall be permitted in said R-5 zoning classifications.

7. This Ordinance takes effect upon passage.

Passed _____, 2008.

APPROVED:

Mayor Edward Hagnauer

ATTEST:

City Clerk, Judy Whitaker

Mobile Home: As defined by this Code a mobile home is a factory-fabricated single family home built on a permanent chassis that consist of a wheel assembly, undercarriage and towing hitch assembly. The average length of a mobile home (excluding garage, carports, porches, or attachments) is in excess of three times its average width. Mobile homes must have a minimum of eight hundred forty (840) square feet of floor area and must contain a complete kitchen and sanitary facilities. Mobile homes moved into the City of Granite City must meet the HUD Federal Mobile Home Construction and Safety Standards.

Modular Home: As defined by this Code a modular home is a factory-fabricated single family home built in one or more sections. The average width and/or length of the living area (excluding garage, carports, porches, or attachments) of a modular home shall not exceed a ratio of 3 to 1. All modular homes must be placed on a full perimeter foundation, extending below frost depth. All wheels and towing devices must be removed. As with all residences, a modular home must have a minimum 3/12 pitch roof with residential style siding and roofing, six (6) inches minimum eave overhang, and must have a minimum living area of not less than one thousand (1,000) square feet. Modular homes must meet either the National Manufactured Home Construction and Safety Standards (HUD Code) or the adopted City of Granite City BOCA Building Code.